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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

16 IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC
Litigation

**DEFENDANTS C. R. BARD, INC.'S
AND BARD PERIPHERAL
VASCULAR, INC.'S ANSWER AND
GENERAL DENIAL IN RESPONSE
TO PLAINTIFFS' SECOND
AMENDED COMPLAINT IN CASE
NO. CV-16-01886-PHX-DGC; JURY
TRIAL DEMAND**

23 Defendants C. R. Bard, Inc. (“Bard”) and Bard Peripheral Vascular, Inc. (“BPV”)
24 (Bard and BPV are collectively “Defendants”) hereby file this Answer and General Denial in
25 response to the Second Amended Complaint served on Defendants in *Reagan Jobe, et al. v.*
26 *C. R. Bard, Inc., et al.*, AZ Member Case No. CV-16-01886-PHX-DGC (“Answer and
27 General Denial”). Defendants further reserve the right to file any motion to dismiss for

1 failure to state a claim with respect to this case, as set forth in Amended Case Management
 2 Order No. 4.

3 With respect to the allegations plaintiff(s) raise in *Reagan Jobe, et al. v. C. R. Bard,*
 4 *Inc., et al.*, AZ Member Case No. CV-16-01886-PHX-DGC, Defendants deny, generally and
 5 specifically, each and every allegation in plaintiff(s)' Complaint, the whole thereof, and each
 6 and every cause of action therein. Defendants further deny that the plaintiff(s) has sustained,
 7 or is entitled to recover, damages in any amount alleged or in any sum whatsoever.
 8 Defendants further deny that they are liable to the plaintiff in any amount, and further deny
 9 that the plaintiff has sustained injury, damage, or loss by reason of any act or omission by
 10 Defendants.

11 As for additional defenses, and without assuming any burden of pleading or proof that
 12 would otherwise rest on plaintiff(s), Defendants incorporate by reference the responses and
 13 Affirmative Defenses set forth in Defendants' Answer to Plaintiffs' Master Complaint filed in
 14 MDL 2641 on December 17, 2015 (Doc. 366). Defendants further reserve the right to raise
 15 such other affirmative defenses as may be available or apparent during discovery or as may
 16 be raised or asserted by other defendants in this case. Defendants have not knowingly or
 17 intentionally waived any applicable affirmative defense. If it appears that any affirmative
 18 defense is or may be applicable after Defendants have had the opportunity to conduct
 19 reasonable discovery in this matter, Defendants will assert such affirmative defense in
 20 accordance with the Federal Rules of Civil Procedure.

21 **REQUEST FOR JURY TRIAL**

22 Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. demand a trial by jury
 23 on all issues appropriate for jury determination.

24 **WHEREFORE**, Defendants aver that the plaintiff(s) is/are not entitled to the relief
 25 demanded in the plaintiff(s)' Complaint, and these Defendants, having fully answered, pray
 26 that this action against them be dismissed and that they be awarded their costs in defending
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1 this action and that they be granted such other and further relief as the Court deems just and
2 appropriate.

3 This 26th day of September, 2016.

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15 **Attorney for Defendants C. R. Bard, Inc. and**
Bard Peripheral Vascular, Inc.
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1 **CERTIFICATE OF SERVICE**
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4 I HEREBY CERTIFY that on September 26, 2016, I electronically filed the foregoing
5 with the Clerk of the Court by using the CM/ECF system which will send notification of such
6 filing to all counsel of record.

7 s/Richard B. North, Jr. _____
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